



Republic of the Philippines
Supreme Court
Manila

EN BANC

**RE: INVESTIGATION AND
REPORT CONCERNING
SAMUEL ANCHETA JR.,
RECORDS OFFICER III,
RECORDS CONTROL AND
CASE MANAGEMENT
DIVISION, OFFICE OF THE
DIVISION CLERK OF COURT,
THIRD DIVISION, SUPREME
COURT, RELATIVE TO THE
JULY 30, 2019 DECISION OF
THE COURT EN BANC IN A.C.
NO. 10461 (DR. VIRGILIO
RODIL VS. ATTY. ANDREW C.
CORRO, SAMUEL ANCHETA
AND IMELDA POSADAS)**

A.M. No. 2019-17-SC

Present:

PERALTA, *J.*, *Chief Justice*,
PERLAS-BERNABE,
LEONEN,
CAGUIOA,
REYES, A., JR.,
GESMUNDO,
REYES, J., JR.,
HERNANDO,
CARANDANG,
LAZARO-JAVIER,
INTING,
ZALAMEDA,
LOPEZ,
DELOS SANTOS, and
GAERLAN, *JJ.*

Promulgated:

February 18, 2020

X-----X

DECISION

PER CURIAM:

This is an offshoot of the *per curiam* Decision¹ dated 30 July 2019 in A.C. No. 10461 entitled, “*Dr. Virgilio Rodil vs. Atty. Andrew C. Corro, Samuel Ancheta, Jr., and Imelda Posadas*,” the dispositive portion of which reads:

¹ *Rollo*, pp. 12-27.

“**WHEREFORE**, Atty. Andrew C. Corro is hereby **DISBARRED** for gross misconduct, grossly immoral conduct, violations of the Lawyer's Oath, violations of the Code of Professional Responsibility, and willful disobedience of the lawful orders of the Court. His name is **ORDERED STRICKEN OFF** from the Roll of Attorneys.

The individual cases of Samuel Ancheta, Jr. and Imelda Posadas are hereby referred to the Office of Administrative Services of the Supreme Court and the Court of Appeals, respectively, for the corresponding investigation and report within sixty (60) days from notice of the charges.

x x x

This Decision shall be **IMMEDIATELY EXECUTORY**.

SO ORDERED.² (Emphasis in the original)

Antecedents

As culled from the records, this administrative matter originated from a complaint filed by Dr. Virgilio Rodil (Dr. Rodil) before the Office of the Bar Confidant against Atty. Andrew C. Corro, then a lawyer from the Office of Associate Justice Martin S. Villarama, Jr. (*ret.*)

Dr. Rodil acted on behalf of a certain Atty. Ramel Aguinaldo (Atty. Aguinaldo), whose client had a pending petition for review³ before the Court, by looking for possible contacts in the Supreme Court who could assist in securing a favorable judgment on the petition. Since one of his patients, Imelda V. Posadas (Posadas), was a Records Officer II at the Reporters Office of the Court of Appeals, Dr. Rodil asked her if she could help him.

Posadas then got in touch with Samuel L. Ancheta, Jr. (Ancheta), Records Officer III at the Office of the Division Clerk of Court of the Third Division, Supreme Court (SC). Ancheta, upon making queries in the Court concerning the said case, learned from Atty. Corro that the case was actually raffled to Associate Justice Villarama. Ancheta then gave a copy of the petitioner's documents to Atty. Corro and asked him if he could “review” the

² *Id.* at 25-26.

³ Docketed as G.R. No. 205227.

matter.

Not long afterwards, Atty. Corro demanded the amount of Php10,000,000.00 in exchange for drafting a favorable decision acquitting Marco Alejandro (Alejandro) for illegal sale of dangerous drugs under Section 5, Article II of Republic Act No. 9165. The demand was relayed to Atty. Aguinaldo through the same series of contacts (from Ancheta to Posadas, then Posadas to Dr. Rodil, and then Dr. Rodil to Atty. Aguinaldo). The amount was given to Atty. Corro in four (4) installments. The first installment in the amount of P800,000 on 22 April 2013 was given by Dr. Rodil to Posadas, who in turn gave the cash to Ancheta who delivered the same to Atty. Corro. The second installment of P700,000 was given on 12 August 2013 via the same chain. The third installment of Php5,000,000.00 was given by Dr. Rodil when he personally met Atty. Corro and his friend Rico Alberto (Alberto) on 13 December 2013. The fourth installment of Php3,500,000.00 was given on 21 February 2014, by Dr. Rodil to Atty. Corro, which fact was witnessed by Alberto.⁴

Apparently, a favorable “decision” was issued by the Court, a copy of which was given to Atty. Aguinaldo but turned out to be fictitious. As a result, Dr. Rodil filed a complaint for disbarment against Atty. Corro before the Office of the Bar Confidant (OBC). On 30 July 2019, the Court disbarred him via a *per curiam* Decision. With respect to Ancheta, the Court referred to its Office of the Administrative Services (SC-OAS) the conduct of investigation, and preparation of report and recommendation within sixty (60) days from notice of the charges.

In a Memorandum⁵ dated 05 November 2019, the SC-OAS, thru Atty. Maria Carina M. Cunanan (Atty. Cunanan), the Deputy Clerk of Court and Chief Administrative Officer, recommended that Ancheta be found guilty of grave misconduct and dismissed from the service, with the corresponding forfeiture of all retirement benefits, except accrued leave credits, and with prejudice to re-employment in any branch or instrumentality of the government, including any government-owned or controlled corporations.

The findings and recommendations of the Office of Administrative Services (OAS) are stated in this wise:

⁴ See Decision, A.C. No. 10461, p. 2.

⁵ Rollo, pp. 1-5.

“The respondent’s contention that his name was merely “dragged” into the whole controversy **is contradicted by the records of the case which show that he actively participated in all material aspects of the transactions in question.** From the moment he was informed by Ms. Posadas that Dr. Rodil was looking for someone who could help in the case, he proceeded to determine G.R. No. 205227’s status in the Court, and upon learning that the *ponente* (Justice Villarama) was the justice of the office where Atty. Corro worked, he asked the latter if he could “review” the case and impliedly use the latter’s position to manipulate a judgment in favour of the petitioner. He then introduced Dr. Rodil to Atty. Corro; played as emissary between them, was courier of the bribe money between the parties involved; and was on hand as a facilitator at the meetings at Max’s restaurant during office hours. Consequently, none of the events in the instant administrative matter could have taken place without the indispensable cooperation he provided.

Therefore, he was not just some passive spectator motivated by lofty and noble ideals in furthering the cause of justice[;] he actually played a major role in attempting its perversion. x x x

x x x

Thus, by knowingly and voluntarily participating in the attempt to secure a favorable judgment for the petitioner in G.R. No. 205227 involving the bribery of a Court Attorney, and for violations of the Code of Conduct for Court Personnel by using his position to secure privilege and dispense special favors, disclosing confidential information by revealing the *ponente* of G.R. No. 205227, as well as meeting with the other individuals involved during official working hours, this Office finds that Mr. Ancheta is guilty of the administrative offense of Grave Misconduct, on account of the qualifying circumstances of corruption, clear intent to violate the law and flagrant disregard of the established rules. As there is only one indivisible penalty imposed for this offense, the respondent must be dismissed from the service.”⁶

Ruling of the Court

The recommendations of the SC-OAS are well-taken.

The Court has repeatedly held that the image of a court of justice is mirrored in the conduct, official or otherwise, of its personnel. All court personnel are mandated to adhere to the strictest standards of honesty, integrity, morality, and decency in both their professional and personal

⁶ *Id.* at 3-5.

conduct. In order to preserve the good name and integrity of the courts of justice, they must exemplify the highest sense of honesty and integrity not only in the performance of their official duties but also in their private dealings with other people.⁷

Ancheta has been with the Court for thirty-eight (38) long years. His mother, Consolacion Ancheta, served the Court for almost forty (40) years and was awarded as a model employee. It is thus lamentable that he not only failed to emulate the exemplary service his mother dedicated to the Court, but likewise failed to meet the basic standards of propriety, honesty and fairness exacted from all government employees.

Parenthetically, his years of service in the Court cannot serve to mitigate his offense, but has to be appreciated as aggravating. Length of service can either be a mitigating or an aggravating circumstance depending on the facts of each case. It is usually considered as an aggravating circumstance when the offense committed is serious or grave or if length of service is a factor that facilitates the commission of the offense, as in this case.⁸

Grave misconduct is classified as a grave offense for which the penalty of dismissal is meted even, as in this case, for the first time offenders.⁹ It is defined as the transgression of some established and definite rule of action, more particularly, unlawful behavior or gross negligence by a public officer coupled with the elements of corruption, willful intent to violate the law or to disregard established rules. Corruption, as an element of grave misconduct, consists in the official or employee's act of unlawfully or wrongfully using his position to gain benefit for one's self.¹⁰

It bears noting that Ancheta violated the following provisions of the Code of Conduct for Court Personnel:¹¹

⁷ *In re: Investigation relative to the fake Decision in G.R. No. 211483 (Tambio v. Lumbayan, et al.)*, A.M. No. 19-03-16-SC, 14 August 2019.

⁸ *Committee on Security and Safety, Court of Appeals vs. Dianco*, A.M. No. CA-15-31-P, 16 June 2015.

⁹ Section 50(A)(3), Rule 10 of the Revised Rules on Administrative Cases in the Civil Service (RRACCS).

¹⁰ *Fajardo vs. Coral*, G.R. No. 212641, 05 July 2017.

¹¹ A.M. No. 03-06-13-SC.

CANON I

FIDELITY TO DUTY

SECTION 1. Court personnel shall not use their official position to secure unwarranted benefits, privileges or exemptions for themselves or for others.

SECTION 2. Court personnel shall not solicit or accept any gift, favor or benefit based on any or explicit or implicit understanding that such gift, favor or benefit shall influence their official actions.

SECTION 3. Court personnel shall not discriminate by dispensing special favors to anyone. They shall not allow kinship, rank, position or favors from any party to influence their official acts or duties.

x x x

CANON II

CONFIDENTIALITY

SECTION 1. Court personnel shall not disclose to any unauthorized person any confidential information acquired by them while employed in the Judiciary, whether such information came from authorized or unauthorized sources.

x x x

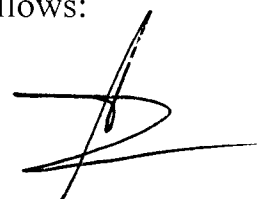
CANON IV

PERFORMANCE OF DUTIES

SECTION 1. Court personnel shall at all times perform official duties properly and with diligence. They shall commit themselves exclusively to the business and responsibilities of their office during working hours.

x x x

Ancheta's acts seriously undermined the trust and confidence of the public in the entire Judiciary. He ought to protect the image of the Judiciary, particularly the Supreme Court, especially that it has been the source of his bread and butter for almost forty (40) years. His acts created the impression to the mind of the public that instead of being a bastion of justice, the Judiciary has become a haven of corruption. On this score, the Court quotes with approval the discussions by the SC-OAS stated as follows:



“x x x Being in the Court for thirty eight (38) years, he ought to know that cases are decided on their merits, and are not for sale to the highest bidder, or the party litigant with the most influential connections. If he truly believed that the lower courts erred in their judgments, he could trust in the wisdom of the Court to see through those errors and set matters straight. For him to presume otherwise demonstrates his wrong mindset and lack of worthiness to remain in the institution that he works for, and has been a part of up to this time. x x x¹²

His explanation that he was merely motivated by his desire to help someone seeking justice, which according to him is one of the pillars of Christianity, and he did not obtain financial gain for his participation, can not absolve him from administrative liability.

In re: *Alleged Removal of the Bailbond Posted in Criminal Case No. C-67629 committed by William S. Flores, Utility Aide II, Regional Trial Court, Branch 123, Caloocan City*,¹³ the Court citing *Macalua vs. Tiu, Jr.*,¹⁴ emphasized that though an employee may be of great help to specific individuals, but when that help frustrates and betrays the public trust in the system, it cannot and should not remain unchecked. The interest of the individual must give way to the accommodation of the public.

Surely, Ancheta's concept of helping someone in this particular instance is skewed in that it corrupted an officer of the court who, among others, was unfortunately quick to forget his Code of Professional Responsibility and his Oath as a lawyer for allowing himself to be drawn by the glitter of money. Also, his insistence that he did not gain any financial reward from the transactions is immaterial. In administrative cases, the issue is whether or not the employee has breached the norms and standards of service,¹⁵ as in this case.

In fine, public service demands the highest level of honesty and transparency from its officers and employees. The Constitution requires that all public officers and employees be, at all times, accountable to the people, serve with utmost responsibility, integrity, loyalty and efficiency; act with patriotism and justice; and lead modest public lives.¹⁶

¹² *Rollo*, p. 3.

¹³ A.M. No. P-05-1994, 12 October 2005.


¹⁴ A.M. No. P-97-1236, 11 July 1997.

¹⁵ *Balanza vs. Criste*, A.M. No. P-15-3321, 21 October 2015.

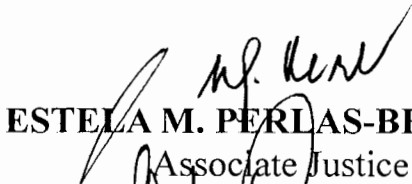
¹⁶ *De Castro vs. Field Investigation Office, Office of the Ombudsman*, G.R. No. 192723, 05 June 2017.

WHEREFORE, the Court hereby finds Samuel L. Ancheta, Jr., Records Officer III, Office of the Clerk of Court, Third Division, Supreme Court, **GUILTY** of **GRAVE MISCONDUCT**. Accordingly, he is **DISMISSED FROM THE SERVICE**, with forfeiture of all retirement benefits, except accrued leave credits, and with prejudice to re-employment in any branch or instrumentality of the government, including any government-owned or controlled corporations.

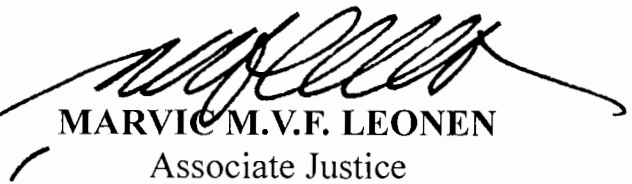
SO ORDERED.



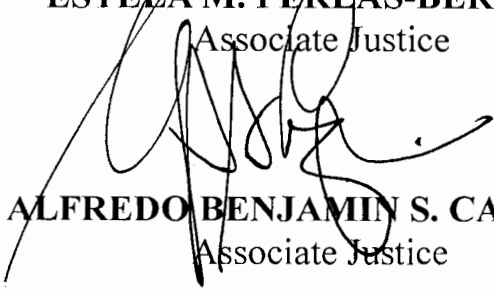
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Chief Justice



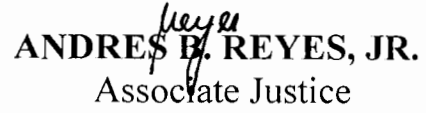
ESTELA M. PERLAS-BERNABE
Associate Justice



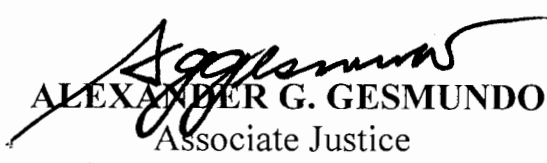
MARVIC M.V.F. LEONEN
Associate Justice



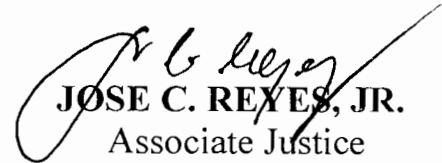
ALFREDO BENJAMIN S. CAGUIOA
Associate Justice



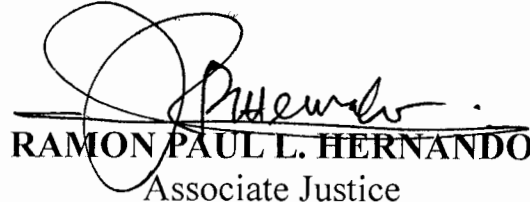
ANDRES B. REYES, JR.
Associate Justice



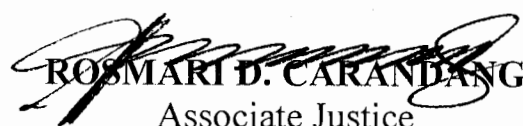
ALEXANDER G. GESMUNDO
Associate Justice



JOSE C. REYES, JR.
Associate Justice



RAMON PAUL L. HERNANDO
Associate Justice



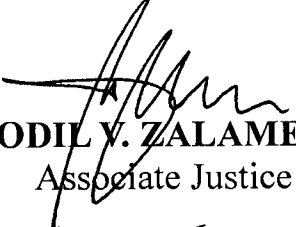
ROSMARI D. CARANDANG
Associate Justice



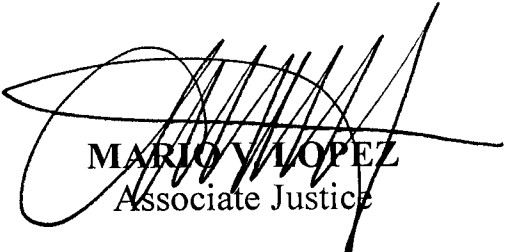
AMY C. LAZARO JAVIER
Associate Justice




HENRI JEAN PAUL B. INTING
Associate Justice




RODIL V. ZALAMEDA
Associate Justice



MARIO V. LOPEZ
Associate Justice




EDGARDO L. DELOS SANTOS
Associate Justice



SAMUEL H. GAERLAN
Associate Justice

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EDGAR O. ARICHETA
Clerk of Court En Banc
Supreme Court